

BOARD OF SELECTMEN

Minutes of

December 17, 2007

Chairman McArdle called the meeting to order at 7:30PM. Board members present in addition to Chairman McArdle were Richard Gandt, Steve Clark, and Dick Carlson. Boyd Jackson was absent. Of the Selectmen's staff, Town Administrator Virginia Wilder, and Board Secretary Donna Rich were in attendance. Other persons present were Jane Schraffa and Evleyn Hammond of the Topsfield Cable. Also present were Brendan Lewis, TriTown Transcript, Janet Kmetz, Janet Brown, Kim Philpot, and Getchen Rehak.

Announcements: Chairman McArdle announced that the Board would go into executive session at the end of the meeting to discuss the memo of agreement with the police union and would not return to open session.

Chairman McArdle read an announcement from the Highway Department Superintendent regarding the Snow Removal bylaw. Also read was another announcement written by Selectman Gandt thanking the Highway Department for the snow removal from the past storm.

Appointments:

New Alternate Historical Commissioner: Jeanne Pickering has submitted a letter of interest to be a member on the Historical Commission. She is presently on the Essex Historical Commission. On a motion by Selectman Gandt it was voted to appoint Jeanne Pickering as an alternate to the Historical Commission, Selectman Clark seconded; so voted: 4-0. Also announced was a resignation letter received from Elizabeth Wilcaz regarding the Historical Commission. The Board thanked Ms. Wilcaz for her volunteerism. Selectman Gandt stated that more volunteers are needed and that the ByLaw for this particular commission encourages inclusion of a member from each of the following: the local real estate business, a resident of the town's Historic District, and an architect.

Main Street Foundation-Seasonal Banners: Janet Kmetz, President, Gretchen Rehak, Vice President, Kim Philpot, Treasurer and Janet Brown, Secretary were invited to make a presentation to the Board on the New Main Street Banners. Janet Kmetz began by stating the Main Street Foundation met last week and approved the purchase of seasonal banners that are expected to be placed in the downtown area. The banners are completely funded by the Foundation and do not require any Town funds. Janet Brown provided an in-depth history, including all that has been accomplished in the downtown area as sponsored by the Main Street Foundation. The seasonal banners will be of a thick sail cloth material, blue with a snowflake stating Welcome to Topsfield. They will be displayed from January thru March. The Foundation's goal is to have different banners for different seasons. Selectman Gandt mentioned that using the banners to advertise businesses would not be an acceptable use of the banners, and each new banner should be presented to the Board prior to placement. Janet Kmetz stated that there will be an additional 2 banners added along the Common area with Lawton Welding contributing the brackets for the poles.

Following the presentation on the banners, there was a brief discussion on the Topsfield Expo scheduled March 29, 2008 at Proctor School from 10AM-2PM.

Selectmen Minutes: Selectman Gandt made the motion to accept the amended minutes of December 3, 2007; seconded by Selectman Clark; so voted 4-0. Selectman Gandt made the

motion to accept the amended minutes of the December 3, 2007 Executive Session and to hold until all matters are resolved; seconded by Selectman Clark, so voted 4-0. The minutes of the working session of November 6, 2007 are deferred until the January 7, 2008 meeting.

OLD BUSINESS:

Finance Committee Guidelines: Chairman McArdle asked if the Board saw any reasons to change the guidelines as presented by the Finance Committee. Selectman Clark noted that it is good to know that the chairmen of the three finance committees in the Tri-Town are working together on the guidelines for MASCO's budget. There was a discussion around the present forecasts of a tight budget for FY09.

NEW BUSINESS:

Class I & II Car Licenses: Chairman McArdle read a memo from Sgt. Gerald Harrison informing the Board of inspection performed at the nine (9) dealerships and stated they all qualify for renewal, pending all bonds being up to date. It was stated that one dealership, Thomson Motors, Corp does not have their bond information submitted. Selectman Gandt made a motion to renew Cape Ann Industry, 414 Boston Street, for a Class I Car License for the calendar year 2008, seconded by Selectman Clark, so voted: 4-0. Selectman Gandt made a motion to renew the following Class II Car Licenses for the calendar year 2008:

The Classic Marque, 16C Maple Street
Country Motors, Inc, 107 Ipswich Road
Dearborn Automobile Co., Inc, 16 Maple Street
Essex Motor Car Co., Inc, 86 Central Street
Henry Auto Sales, 23 Main Street
Signature Motors Cars, Inc, 230 Boston Street
Topsfield Prestige Motors, Inc., 240 Boston Street

Seconded by Selectman Clark, so voted: 4-0. Selectman Gandt made a motion to renew the Class II Car License for Thomson Motors Corporation, 16 Maple Street, contingent upon receiving their bond insurance notification, seconded by Selectman Clark; so voted: 4-0.

Innholders & Common Victualler License: Application for Dunkin Donuts at 367 Boston Street was reviewed. It was stated that the ZBA was not happy with the State mandated curbcut changes for Route 1, and a question was raised as to compliance with the ZBA's seating and parking restrictions. Ms. Wilder noted that the ZBA decision states 26 parking spots and 20 seats. The application for the Common Victualler License and the Occupancy Permit state 13 seating. Selectman Gandt made a motion to approve the Innholders & Common Victualler License for 2008 for Dinart Serpa, owner of Dunkin Donuts at 367 Boston Street, with hours of operation from 6AM – 9PM and that the license follow all Zoning Board restrictions, seconded by Selectman Clark; so voted: 4-0.

Severe Weather Policy: Selectman Gandt made a motion to change the person who makes the decision for the Town Hall employees during a severe weather advisory to be the Chairman of the Board, under Procedure change the "the" after exist to "to", and to have Town Administrator as the designated person for the Chairman to contact, replacing Executive Secretary, seconded by Selectman Clark; so voted: 4-0.

Fox Run Extension Surety Bond Release: Selectman Clark made a motion to approve the release of the \$25,000 surety bond for the utility and road infrastructure to the developer of the one lot subdivision at 52 Fox Run Road and for the Chairman to sign, seconded by Selectman Gandt; so voted: 4-0.

Ipswich Road Order of Taking: Selectman Gandt made a motion to approve the Order of Taking for the permanent and temporary easements as stated in the 2007 Town Meeting vote on Article 36, seconded by Selectman Clark; so voted: 4-0. One signature must be notarized, which Selectman Gandt agreed to accomplish the following day at Town Hall.

Town Administrator's Report:

Please see attached report.

- New Meadows Market sent a letter requesting permission to close the business from January 1-7, 2008 for vacation. Selectman Clark made a motion to approve the closing request of New Meadows Market, seconded by Selectmen Gandt; so voted 4-0.

Correspondence & Reports

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- Frank Iovanella is hosting an information meeting on Wednesday, December 19, 2007 at 6:30PM at the Pro-Shop regarding the proposed age restricted development at 30-32 Wildes Rd.
- Elizabeth Wilczak has submitted her resignation to the Historical Commission
- Building Inspector has sent a letter to the Esposito's explaining the details of the violation and fines that would be enforced if the second dwelling at 102 River is not demolished.
- ASCIO Wireless is offering free passes to the MMA Tradeshow to be held on January 11 & 12 at the Hynes Convention Center.
- Weston & Sampson has sent a letter regarding the property at Bradley Palmer State Park, Lamson House.
- DCR has announced the release of Lamson House in Bradley Palmer Park for rehabilitation, reuse and maintenance.
- Water Superintendent, Greg Krom has sent a letter to the Pazura's regarding their complaint of an erratic water meter.

Reports

- Planning Board has submitted Minutes of November 6th & 20th, 2007.
- Zoning Board has submitted Minutes of October 23, 2007
- Conservation Commission has submitted CoC for 10 Gail Circle & 2 Birch Lane, OoC for 240 Rowley Bridge Rd, 20 Kinsman Circle, and 47 Rowley Road, DOA for 15 Carriage Way and a memo regarding the Site Plan review for 6 Central Street.
- North Shore Vocational School has submitted an agenda for the December 6, 2007 meeting and minutes of October 11, 2007.
- Elementary School Committee has submitted minutes of October 4 and November 1, 2007.

Warrants: The Selectmen signed and approved warrants in the amount of **\$ 383,749.89** breakdown is as follows:

Warrant #FY08:	
049T	\$ 78,677.15
049	\$202,436.68
050	\$102,636.06

At 8:49PM, Chairman McArdle a motion to go into executive session to discuss the Memorandum of Agreement with the police union; Selectman Gandt seconded motion. A yes vote was recorded for Selectmen Carlson, Selectmen Gandt, Selectmen Clark and Chairman McArdle. The Board would not return to regular session. Virginia Wilder and Donna Rich were present also.

Respectfully submitted,

Donna Rich, Secretary
Selectmen's Office

Approved as amended at the January 7, 2008 Board of Selectmen's meeting.